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MEDIA CONTACTS

Jared Touchin | 928.221.9253

Krista Thompson | 928.637.5603

Jolene Holgate | 928.871.7160

nnlb.communications@gmail.com

**Navajo Nation Council approves indenture of
lease agreement for the Navajo Generating Station**

WINDOW ROCK – The Navajo Nation Council on Thursday, approved Legislation No. 0177-13, rescinding CAP-21-13, and approving amendment one to the indenture of lease for an additional 25 years, beginning in 2019 for the Navajo Generating Station.

On Apr. 29, the Council approved the indenture of lease under a previous bill, Legislation No. 0042-13. Terms of the amended legislation were deemed unacceptable by NGS owners.

Negotiations between NGS owners and the Navajo Nation continued, and Legislation No. 0177-13 was drafted to reflect the new terms of the negotiations.

Legislation sponsor Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), urged the Council to approve the agreement to preserve hundreds of jobs for Navajo people employed by NGS and millions of dollars in annual revenue for the Nation.

Council initially considered the new legislation on Wednesday, and voted 11-10 to table the bill to provide clarification over an amendment proposed by Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill).

The proposed amendment sought to change outdated deadlines, to allow for the Navajo Nation to remain eligible for a signing bonus, contingent upon approval from the Council and President Ben Shelly, by the deadlines outlined in the legislation.

Council approved the amendment with a vote of 21-0.

Immediately following the passage of the first amendment, Council Delegate Russell Begaye (Shiprock) motioned for a second amendment to address potential water rights claims for the Navajo Nation.

Delegate Begaye's amendment proposed adding language to the agreement, ensuring that NGS non-participating members will not oppose the Navajo Nation in its pursuit of claims to Arizona's 50,000 acre-foot allocation of the Upper Colorado River Basin water.

"This will help our attorneys fight to get our water rights," said Delegate Begaye. "We're only asking that NGS not get in the way of our water claims, we're not opposing the NGS."

The majority of Thursday's debate centered on Delegate Begaye's proposed amendment, which drew opposition from several delegates who argued that passing the amendment would jeopardize the entire bill.

“If this is a deal killer, and if NGS closes down, then that water is up for grabs so remember that,” said Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland), referring to water currently used to operate the NGS.

Supporters of the proposed amendment argued that it would make the legislation stronger and assist future claims to water made by the Nation.

“We don’t want the owners of NGS opposing our water rights,” Delegate Tsosie said. “Let’s send this back to them, and make a strong stand once again.”

Although Council voted 12-11 in support of the amendment, Delegate Bates later motioned to remove the approved amendment which raised objections and questions from several delegates.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) urged delegates to vote down the amendment proposed by Delegate Bates.

“Why is it so hard to stand up for what is right?” asked Delegate Witherspoon of his Council colleagues. “Water is going to be gold in the future, and wars will be fought over it. We need to fight for our rights.”

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) spoke in favor of the amendment and the legislation as a whole.

“If the amendment was truly just for water I would stand in support, but this amendment is trying to kill the legislation,” said Delegate Benally. “I want this legislation to pass. I want my people to be employed. I want a good life for my people.”

Also speaking in support of the legislation was Council Delegate Joshua Lavar Butler (Tó Nanees Dizi), who advocated for jobs, economic development, and transition to green energy production.

“We are not creating jobs fast enough, and the unemployment rate is reaching close to 65 percent,” said Delegate Butler. “We don’t have a vibrant green economy to transition to right now.”

Delegate Bates continued to urge Council to remove Delegate Begaye’s amendment, stating that the Nation would be able to pursue water rights whether or not the NGS lease extension was approved.

After a lengthy discussion, Council members voted 12-11 to remove the previous amendment.

Near the end of the debate, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) proposed a fourth amendment to add six chapters to a list of “NGS Community Chapters” who will benefit from a chapter fund established and administered by the NGS owners.

The six chapters include Chilchinbeto, Dennehotso, Kayenta, Navajo Mountain, Oljato, and Ts’ah Bii Kin, in addition to the existing list that includes Bodaway/Gap, Cameron, Coalmine Mesa, Coppermine, K’ai’Bii’To, LeChee, Shonto, Tonalea, and Tuba City.

Council voted 12-11 in favor of the amendment.

After six hours of debate and the approval of four amendments, Council members approved Legislation No. 0177-13 with a 16-6 vote.